



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Anthony E. SEAMAN

Serial No.: 10/725,187

Examiner: SOOHOO, T.G.

Filed: December 01, 2003

Art Unit: 1723

For: AGITATORS FOR WAVE-MAKING OR MIXING
AS FOR TANKS, AND PUMPS AND FILTERS

CERTIFICATE UNDER 37 CFR 1.8(a)
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O.
Box 1450, Alexandria, VA 22313-1450

ON 5-18-05
Jonathan Bay
REGISTRATION NO. 35064
DATE 5-18-05

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- ☒ Response, 37 C.F.R. §§ 1.111, 1.115.;
- ☒ Applicant/Assignee claims small entity status under 37 C.F.R. §1.27.
- ☒ Terminal Disclaimer to Obviate a Double Patenting Rejection,
37 CFR §1.321(b),(c) and MPEP §1490
- ☒ A check in the amount of \$ 65.00, for terminal disclaimer.
- ☒ Other: Return Postcard.

Respectfully submitted,

Date: 5-18-05

Jonathan Bay
Jonathan A. Bay
Registration No. 35,064
Attorney at Law
333 Park Central East, Suite 314
Springfield, MO 65806
(417) 873-9100

Docket No. 355-8



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RESPONSE, 37 C.F.R. §§ 1.111, 1.115

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Sir:

Responsive to the Official Action mailed April 27, 2005, this comprises a transmittal of
a *Terminal Disclaimer to Obviate a Double Patenting Rejection*, as well as the required fee.

Claims 4-12 are pending. Claims 4-12 were alike rejected under the judicially-created
doctrine of double patenting as unpatentable over commonly-invented, commonly-owned U.S.
Patent Nos. 6,488,401 and 6,655,830, wherein this application is a serial continuation thereof.
Applicant is pleased that the claims were considered to define over the prior art of record. As
suggested in the Official Action, applicant pursues overcoming this rejection by submitting a
Terminal Disclaimer to Obviate a Double Patenting Rejection (37 CFR §1.321(b), (c) and MPEP
§1490), it being signed by applicant's legal representative in this matter (ie., the undersigned).
Applicant respectfully requests consideration and approval of the submitted *Disclaimer*, and
allowance of the claims.

Respectfully submitted,

Date: 5-18-05

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